

CITY OF MILFORD
REGULAR MEETING
SEPTEMBER 5, 2000
MINUTES

A regular meeting of the Mayor and Council of the City of Milford, Nebraska was held at the Webermeier Community Room in said City on the 5th day of September, 2000 at 7:30 P.M. Present were: Mayor Dean Bruha; Council members: Dorothy Bockoven, Scott Burroughs, Gary Cooper, Rick Fortune; Attorney Robert Blevens; City Clerk Jeanne Hoggins. Also present: Irene Boshart, Kathy Stutzman, Chief of Police Forrest Siebken, Maintenance Supt. Mark Frey, Todd Neeley with the press.

Notice of the meeting was given in advance thereof by publishing in the Milford Times; a designated method for giving notice, as shown by the Affidavit of publication attached to these minutes. Notice of this meeting was given to the Mayor and all members of the Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

CALL TO ORDER: Mayor Bruha called the meeting to order at 7:30 p.m.

MINUTES: A motion was made by Fortune and seconded by Burroughs to approve the minutes of the August 1, 2000 meeting. Roll call vote: Fortune yes, Burroughs yes, Bockoven yes, Cooper yes. Motion carried.

A motion was made by Cooper and seconded by Bockoven to approve the minutes of the August 17, 2000 meeting. Roll call vote: Cooper yes, Bockoven yes, Burroughs yes, Fortune yes. Motion carried.

PAYMENT OF BILLS: A motion was made by Bockoven and seconded by Cooper that the following bills, approved by the Auditing Committee be approved for payment. Roll call vote: Bockoven yes, Cooper yes, Burroughs yes, Fortune yes. Motion carried.

SALARIES:

31634	Mark Frey	972.60
31635	Forrest K. Siebken	946.86
31636	Mavis Lynn Ferris	19.02
31637	Jeanne M. Hoggins	807.19
31638	Gary Lee TeSelle	590.31
31639	Scott Dean Fosler	883.77
31640	Robert L. Hull	640.24

31641	Beverly J. Wehrs	376.13
31642	Edna A. Riedl	309.59
31643	David R. Dahle	598.03
31644	Sara J. Roether	108.88
31645	Amanda L. Lambe	126.39
31646	Louis J. Bialas	636.73
31647	Pamela J. Slama	106.86
31648	Bryce Roth	346.20
31649	Arlene F. Sieck	515.42
31650	Lucy B. Honig	231.35
31651	William J. Sauer	448.82
31652	Marcus A. Siebken	338.22
31653	Shawn D. Matthiessen	311.68
31654	Amanda R. Fichtner	360.75
31655	Jamie L. Opfer	502.63
31656	Susan P. Dugan	351.51
31657	Sheri J. Condreay	236.08
31658	Lindsey C. Heyen	408.91
31659	Chad A. Craghead	614.90
31660	Andrea K. Henrichson	116.36
31714	Mark Frey	972.60
31715	Forrest K. Siebken	946.86
31716	Mavis Lynn Ferris	23.78
31717	Jeanne M. Hoggins	807.19
31718	Gary Lee TeSelle	590.31
31719	Scott Dean Fosler	903.35
31720	Robert L. Hull	798.77
31721	Beverly J. Wehrs	397.18
31722	Edna A. Riedl	285.65
31723	David R. Dahle	658.65
31724	Louis J. Bialas	640.25
31725	Pamela J. Slama	264.75
31726	Bryce Roth	209.88
31727	Arlene F. Sieck	507.92
31728	Lucy B. Honig	253.98
31729	William J. Sauer	72.03
31730	Marcus A. Siebken	116.22
31731	Chad A. Craghead	643.99
31732	Andrea K. Henrichson	134.48
31734	Gary W. Cooper	138.52

31735	Roger L. Kness	289.37
31736	Ricky Gene Fortune	138.52
31737	Dean Alan Bruha	184.70
31738	Dorothy J. Bockoven	138.52
31739	Scott C. Burroughs	138.52

GENERAL FUND:

31633	U.S. Postmaster – Utility Billing	115.59
31662	Ameritas Life Insurance Corp – Retirement	993.10
31663	Alltel – Service for July	891.91
31664	Alltel – Mobile Phone	20.19
31665	Alltel – Long Distance Service	4.86
31666	Alltel Communications – New Phone System	827.50
31667	Butchs Welding & Repair – Labor on Mower	41.00
31668	Culligan Water Conditioning – Soft Water	16.00
31669	Dorchester Coop–Tire Repair, RoundUp, Gas/Diesel	1232.37
31670	D & D Communications – Radio Rep & Maint '98	168.60
31671	Eakes Office Plus – Planners, Copy Paper	60.45
31672	Farm Plan – Belt, Bushing, Lines, Links	323.66
31673	The Garbage Company – Pickup for July	82.75
31674	Gene's Electric – Low Voltage Wire	70.00
31675	Great Plains-One Call – Meet, Locates, Surcharge	28.00
31676	IHS at Milford – 409 Meals for July	1329.25
31677	Kiwanis of Milford – Install Flag/Pole (Memorial)	225.00
31678	Layne Christensen Co – Maint Inspect, Oil, Grease	730.88
31679	Lesco Inc – BackPack Sprayer, Svc Chrg	120.96
31680	M.E. Collins Contracting – 1 st & 2 nd Pymt-State St	99660.91
31681	Menard's – Utility Brushes, Angle Locator	96.90
31682	Milford A/C & Appliance–Thermostat Covers, Valve	63.99
31683	The Milford Times – Notices, Minutes	169.71
31684	Milford Vol Fire Dept – Membership / NSVAFA	170.00
31685	Mutual of Omaha Companies – Group Insurance	3719.84
31686	NE Law Enforcement Training – Fosler Class	74.45
31687	NE Dept of Env Quality – Wastewater Lic Renewal	75.00
31688	NE Dept of Revenue – Sales Tax for July	1771.62
31689	Nebraska Health Laboratory – Coliform Tests	46.75
31690	Nebraska Motor Parts – Solder, O-Rings, Gas Can	11.44
31691	Nebraska Public Power District – Service for July	5076.82
31692	Omaha Life Insurance Company – Life Insurance	58.05
31693	OM2 Multimedia Inc – S.L.I.M. Training CD	50.00
31694	Pegler-Sysco–Sr Cream, Napkins, Plates, Can Liners	143.00

31695	Peoples Natural Gas – Services for July	865.05
31696	Pepsi-Cola of Lincoln – Pop for Pool	176.00
31697	Pitney Bowes – Qtrly Rental Fee	326.69
31698	Pizza Kitchen – 20 Birthday Certificates	13.00
31699	NSA/POAN Conference – Registration for 2	130.00
31700	B & R Electronics – Check & Setup Hoggins PC	132.00
31701	Roxanne Roth – Clean Fire Hall & Library	160.00
31702	Mrs. Wayne Roth – 2 Birthday Cakes	25.00
31703	Sam’s Club/GECF – Candy for Pool	409.06
31704	Schlegel’s Groceries – Film Develop, Groc for July	114.98
31705	Seward Electronics – Labor, Diode/Suppressor	57.40
31706	Seward County Rural Public Power – Wells 4 & 5	602.47
31707	SCC-Lincoln Campus – Windows 1 Class for Bialas	85.00
31708	Subway Motors–Labor, Oil Sensor, Shop Materials	70.14
31709	Sunflower Region (Midland AAA) – 1 day Conf	40.00
31710	Tvrdy’s Lock & Key – Change & ReKey Locks	225.00
31711	Utility Equipment Co – Saddle, 70 ROM	1121.70
31712	Wal-Mart Store – Masks, Coffee Pot, Clocks, Soap	162.07
31713	ZEP Manufacturing – Sales Tax on Invoice	14.77
31733	Ameritas Life Insurance Corp – Retirement	993.10
31740	AT& T – Long Distance Service	14.93
31741	ATCO International – Liberator	758.00
31742	Bizco Technologies – Access Class for 3	360.00
31743	Blevens Law Office – Legal Services for August	350.00
31744	Brodart Co – Book Spinner	355.10
31745	Centaur Enterprises, Inc. – Nuts, HX HD, Washers	78.54
31746	Century Labs, Inc. – Scrubs in Bckt, Galv Spray	299.56
31747	City of Milford – Petty Cash, Pen Refills, Postage	66.81
31748	Christian Book Distributors – 10 Books	90.86
31749	Country Living – 2 Year Subscription	37.97
31750	Doubleday Book Club – 3 Books	52.40
31751	Earl May Seed – Retaining Wall – State Street Proj	6027.40
31752	EDM Equipment Co – Labor on Street Sweeper	130.00
31753	Gateway Companies Inc – GP7-733 Computer	1388.00
31754	Geotechnical Services Inc – Cylinders	252.00
31755	Good Housekeeping – 1 Year Subscription	21.97
31756	1 st Choice Credit Union – Gary TeSelle Account	250.00
31757	Heartsong Presents – 4 Books	9.97
31758	Heartland Auto Body – Paint Lower Part on Doors	224.00
31759	Hearst Direct Books – Heart of France	39.90

31760	Ingram Library Services – 14 Books	77.27
31761	Lynn Peavey Co – Blood Alcohol, Sexual Asslt Kits	35.90
31762	McCall’s Quilting – 1 Year Subscription	19.98
31763	MARC – Sewer Solvent Plus	168.33
31764	Meyer’s Upholstery – Upholster Furniture	1011.85
31765	Milford Plumbing Co – Bushings, Nipple, Brass	36.98
31766	Milford School Dist #5 – Fines for Aug, Spec Liq Lic	195.00
31767	Municipal Supply Inc of NE – Repair Clamp, Ratchet	685.43
31768	Mutual of Omaha Companies – Disability	109.23
31769	National Geographic Society – 1 Year Subscription	29.00
31770	NE Health Lab–Lead/Copper, Coliform, Nitrate Tests	750.87
31771	Newman Traffic Signs – Cement, Delineator, Button	113.50
31772	Office Depot, Inc. – LCS-1060 Labtec	29.99
31773	Omaha Life Insurance Company – Life Insurance	58.05
31774	Jamie Opfer – Reimburse Lifeguard Certification	50.00
31775	Oxmoor House – Christmas with Country Living	29.91
31776	Pack-O-Fun – 2 Year Subscription	29.97
31777	Poolmart, Inc – Scum Line Cleaner, Chlorine	918.20
31778	Accord Capital Corporation – Pool Vac Filter	125.70
31779	Quill Corporation – Office Supplies	110.72
31780	Regent Book Co., Inc – 48 Books	597.51
31781	Edna Riedl – Mlg to Lincoln, Chair from Office Max	132.39
31782	Reiman Publications – 1 year Taste of Home	14.98
31783	Roxanne Roth – Clean Fire Hall & Library	160.00
31784	Sack Lumber Company – 3/8 CDX Plywood	59.95
31785	Seward Co Treas – 911 Comm, Milford Dispatch	300.00
31786	Seward County Ford – 2 Batteries	159.90
31787	Share Corp – Floating Degreaser	1070.91
31788	Solutions for Your Office – Ofc Furn/File Cabinets	1513.52
31789	3-D Ammunition & Bullets – 9MM, 223 Trng Rnds	394.64
31790	The Tool House, Inc. – Blades, Floor Jack	1218.50
31791	Uniservice, Inc. – Pants & Rags	91.20
31792	Vision Video – 10 Videos	176.85
31793	Vollbracht’s Inc. – Electric Clutch	310.89
31794	Watts Up – Light Bulbs	234.24
31795	World Book, Inc–1 set Childrcraft/Animals of World	298.00
31796	ZEP Manufacturing Co – Sewer Aid	203.90
31797	Gus Anderson – Water & Sewer Deposit Refund	35.58
31798	Bruce Brigham – Water & Sewer Deposit Refund	50.00
31799	Kelly Brown – Reimburse Lifeguard Certification	50.00

31800	Sheri Condrey – Reimburse Lifeguard Certification	50.00
31801	Don Danekas – 1 st Place Reimburse VolleyBall 1999	100.00
31802	Susan Dugan – Reimburse Lifeguard Certification	50.00
31803	Amanda Fichtner – Reimburse Lifeguard Certification	50.00
31804	Kari Heinrichs – Water & Sewer Deposit Refund	50.00
31805	Lindsey Heyen – Reimburse Lifeguard Certification	50.00
31806	Randy Kennedy – Water & Sewer Deposit Refund	50.00
31807	Void	
31808	Joe Lovitt – Water & Sewer Deposit Refund	30.76
31809	Shawn Matthiessen–Reimbur Lifeguard Certification	50.00
31810	Aaron Nelson – Water Deposit Refund	28.52
31811	Marcia Redler – Water & Sewer Deposit Refund	50.00
31812	Roy Romans – Water & Sewer Deposit Refund	50.00
31813	Michael Wemhoff – Water & Sewer Deposit Refund	31.36
31814	Karl Wittstruck – Water Deposit Refund	7.36

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Housing Authority minutes for August 15, 2000; Milford Aging Services Commission minutes for August 23, 2000; Fire/Rescue minutes for July 11, 2000; Police Dept. Activity Report for August 2000.

Fortune noted that Mark Frey and the maintenance dept. along with himself will be drafting letters to the Environmental Protection Agency regarding changing regulations of the arsenic level.

Cooper informed Council that the final assessment on the State Street Project has been completed and a statement in the amount of \$191,984.83 has been submitted to Southeast Community College for payment. The money should be received around Sept. 14, 2000 which will be deposited in this fiscal year. Estimated cost for flashing lights in crosswalks is \$5,000.00 with WATTS.

PAVERS has not been able to come up with a schedule for hard surfacing of the alleys. The same situation has come up with M.E. Collins and the street repairs. Checks will be cut and held until the work is completed.

COMMUNICATIONS: Sales tax received for the month of June 2000 was \$11,920.64. A letter was received from Francis Grimes thanking the Council for the curb improvements made to “B” St. on the west side of Schlegel’s grocery store. He also suggested replacing the handicap stall back to the most northern parking space on “B” St., on the east side. Council suggested placing this issue on the October agenda. Notice of SEWCOG meeting received from SENDD for October 24, 2000 at the Seward Civic Center from 7:00 – 9:00 p.m. Correspondence received from Kirkham

Michael on the Flood Mitigation Plan. An aerial photo was presented to the Council of the areas that would be surveyed also a note dated Sept. 5, 2000 notifying Council that field survey of structures has been completed. A letter was received from Vernon "Pete" Peterson noting that he is not happy with the way the cemetery has been maintained. Bruha informed Council that he has been out marking sidewalks for repair and letters will be sent to home owners with a time frame for completion of project.

Chief of Police Siebken reported that the City's 4% of the 911 communication costs came in at \$8,167.20 which was much lower than the budgeted amount. After the arrests made in Sept. the concensus was that the R.A.P. program is a good investment for the City. \$953.00 was spent on the program last year. Bockoven complemented the Police Dept. and the Maintenance Dept. on a job well done during the Family Fun Days.

NEW BUSINESS:

INTRODUCTION AND ADOPTION OF RESOLUTION: 2000-2001 BUDGET:

After due consideration, Cooper moved the adoption of the following Resolution, which was seconded by Burroughs:

RESOLUTION # 367 ADOPTING BUDGET

WHEREAS, the Mayor and Council of the City of Milford, Nebraska have proposed a budget for the fiscal year 2000-2001; and

WHEREAS, a public hearing has been held upon said proposed budget; and

WHEREAS, no objections or remonstrances have been made concerning said budget; and

WHEREAS, the budget shall be adopted in the form as presented.

NOW, THEREFORE, BE IT RESOLVED that the annual budget of the City of Milford, Nebraska, be and the same hereby is adopted as follows:

GENERAL FUND

General Government	2,202,714.00
Cash Reserve	1,508,962.00

Total	3,711,676.00
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BOND FUND

Principal & Interest	146,369.00
Cash Reserve	68,952.00

Total	215,321.00
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BE IT FURTHER RESOLVED that the portion of said expenditures to be raised by public taxation collected by a property tax levied upon the assessed valuation of property in the City of Milford, Nebraska in the following sums, to-wit:

General All Purpose Levy	191,900.00
Bond Levy	118,170.00
Total	310,070.00

BE IT FURTHER RESOLVED that the Clerk is hereby ordered and directed to certify to the County Clerk of Seward County, Nebraska the taxes levied under this Resolution.

Upon roll call vote, the vote was as follows: Voting "AYE": Cooper, Burroughs, Bockoven, Fortune. Voting "NAY": None Absent and not voting: None

The Mayor declared said Resolution duly adopted and directed the Clerk to file a copy thereof with the County Clerk of Seward County.

Jeanne Hoggins, City Clerk

Dean A. Bruha, Mayor

INTRODUCTION AND ADOPTION OF ORDINANCE: 2000 – 01 BUDGET:

Council member Fortune introduced the following ordinance:

ORDINANCE NO. 706

“THE ANNUAL APPROPRIATION BILL OF THE CITY OF MILFORD, NEBRASKA, FOR THE FISCAL YEAR FROM OCTOBER 1, 2000 TO SEPTEMBER 30, 2001; TO PROVIDE FOR THE LEVYING OF TAXES FOR THE USE OF THE CITY OF MILFORD, NEBRASKA, FOR ALL MUNICIPAL PURPOSES FOR SAID FISCAL YEAR AS SHOWN ON THE ASSESSMENT ROLL FOR SAID YEAR, AND TO PROVIDE FOR CERTIFYING ALL TAX LEVIES AND DELINQUENT SPECIAL ASSESSMENTS TO THE COUNTY CLERK OF SEWARD COUNTY, NEBRASKA; AND TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT.” (See Ordinance Record)

INTRODUCTION AND ADOPTION OF ORDINANCE: 2000 – 01 SALARIES:

Council member Bockoven introduced the following Ordinance:

ORDINANCE NO.707

AN ORDINANCE TO ESTABLISH SALARIES FOR FULL TIME AND PART TIME CITY EMPLOYEES OF THE CITY OF MILFORD, NEBRASKA FOR THE FISCAL YEAR 2000-2001; AND TO PRESCRIBE THE TIME WHEN THE ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT; AND TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH: (See Ordinance Record)

INTRODUCTION AND ADOPTION OF RESOLUTION: FINAL MILL LEVY:

Council member Burroughs introduced the following resolution which was seconded by Fortune.

RESOLUTION #368

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF MILFORD, NEBRASKA:

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purpose of the levy set by the County Board of Equalization unless the Governing Body of the City of Milford passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interests of the City of Milford that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE, the Governing Body of the City of Milford, by a majority vote, resolves that:

1. The 2000-2001 property tax request be set at \$.6072.

Upon roll call vote as follows: Burroughs yes, Fortune yes, Bockoven yes, Cooper yes. Motion carried.

Dean A. Bruha, Mayor

Jeanne Hoggins, City Clerk

Authorize Signature-Engineering Serv. for Water Tower Proposal: A motion was made by Fortune and seconded by Cooper to authorize the Mayor to sign proposal for engineering services for water tower refurbishing made by Olsson Associates. Roll call vote: Fortune yes, Cooper yes, Bockoven yes, Burroughs yes. Motion carried.

Authorize Signature-Engineering Serv. for Water Dist. System Improvements: A motion was made by Fortune and seconded by Cooper to authorize the Mayor to sign proposal for engineering services for Water Dist. System Impr. made by Olsson Associates. Roll call vote: Fortune yes, Cooper yes, Bockoven yes, Burroughs yes. Motion carried.

Award Bid-Sr. Center Meals: Burroughs noted that 2 bids had been received. A motion was made by Burroughs and seconded by Bockoven to award the meal bid to Sunrise Country Manor in the amount of \$3.00 per meal. Roll call vote: Burroughs yes, Bockoven yes, Cooper yes, Fortune yes. Motion carried.

Open Alley-Scott & Kathy Stutzman: Kathy Stutzman was present and informed the Council that in the last couple months she and her husband have been blocked in the alley several times. She noted having to drive on someone's yard to get around a parked car that she did not recognize. She was interested to know where the Council was with this project. Irene

Boshart wondered how the City was going to remove snow. Bosharts have also cleared the dirt pile from the area. Fortune mentioned that 2/3 of the alley is already accessible to individual garages or drive-ways. Blevens was asked about legal procedures and noted 2 different options. Working out an agreement with the family or condemning the property, which is a long process. If petition to condemn, the county would have 3 different appraisers determine the value of the property. Could go to a Jury Trial. It was mentioned to get a local appraiser and make a proposal to purchase the land. Fortune felt that the Council was heading in the right direction towards opening the alley. A motion was made by Fortune and seconded by Bockoven to proceed in attempting to open the alley. Roll call vote: Fortune yes, Bockoven yes, Burroughs yes, Cooper yes. Motion carried.

Revision-Personnel Manual: Bockoven presented Council with revisions to the personnel manual after discussion with Chief of Police Siebken, Maintenance Supt. Mark Frey and City Clerk Jeanne Hoggins. Bockoven updated areas of the manual in accordance with law. Some areas of discussion were: harassment policy, overtime compensation, probationary period, additional holiday and wellness bonus. This item will be placed on the October agenda for final review.

Approve Payment Cert. #1-Earl May Seed & Nursery, State Street Project: A motion was made by Cooper and seconded by Burroughs to approve payment to Earl May Seed for the retaining wall in the amount of \$6,027.40. Roll call vote: Cooper yes, Burroughs yes, Bockoven yes, Fortune yes. Motion carried.

Executive Session-Real Estate: No action taken.

ADJOURNMENT: A motion was made by Bockoven and seconded by Fortune to adjourn the meeting. Roll call vote: Bockoven yes, Fortune yes, Burroughs yes, Cooper yes. Motion carried and meeting adjourned at 9:05 P.M.

City Clerk

Mayor

CERTIFICATION

I, the undersigned, City Clerk of the City of Milford, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on September 5, 2000 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection

at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

(SEAL)

Jeanne Hoggins, City Clerk